

HALE AND DORR LLP

COUNSELORS AT LAW

haledorr.com

60 STATE STREET • BOSTON, MA 02109

617-526-6000 • FAX 617-526-5000

FAX

Total Number of Pages: 20

Fax / Phone:

To: Technology Center 1600
United States Patent and Trademark
Office

703-872-9307 /

From: Shann Kerner, Ph.D.
617-526-6192

Date: August 14, 2003

Note: Filing to Following this page

This facsimile transmission is confidential and may be privileged. If you are not the intended recipient, please immediately call the sender or, if the sender is not available, call 617-526-5413, and destroy all copies of this transmission. If the transmission is incomplete or illegible, please call the sender or, if the sender is not available, call 617-526-5413. Thank you.

Client Matter Number: 112917-129
Return To: 29015

Transmitted by: _____

BOSTON LONDON MUNICH NEW YORK OXFORD PRINCETON RESTON WALTHAM WASHINGTON

Hale and Dorr LLP is a Massachusetts Limited Liability Partnership

OFFICIAL

Re: U.S. Patent Application No. 09/073,596 filed 05/06/1998
Title: Methods for In Vitro Proliferation of Dendritic Cell Precursors and Their Use to Produce Immunogens
First Inventor: Steinman, et al.
Examiner: G. Ewoldt Group Art Unit: 1644
Attorney Docket No.: 112917-129 (MER-010CP2C)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to:

703-872-9307

on 08/14/2003
Date

Flochelle Capobianco

Signature

Flochelle Capobianco

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

<u>Document</u>	<u>No.</u>
	<u>Pgs.</u>
Transmittal Form	1
Fee Transmittal Frm	1
Petition for Extension of Time Under 37 CFR 1.136(a)	1
Amendment Pursuant to 37 CFR 1.116	12
Notice of Appeal Pursuant to 37 CFR 1.191	2

Total Number of Pages (including this Certificate of Transmission)

19

PTO/SB/21 (05-03)

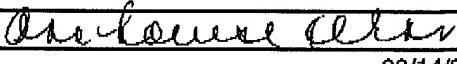
Approved for use through 04/30/2003, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number:	09/073,596
		Filing Date:	05/06/1998
		First Named Inventor:	Steinman, et al.
		Art Unit:	1644
		Examiner Name:	G. Ewoldt
Total Number of Pages in This Submission:		Attorney Docket Number:	112917-129 (MER-010CP2CNDV)

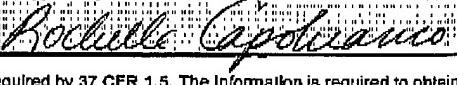
ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter	
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Ann-Louise Kerner, Ph.D.	
Signature		
Date	08/14/2003	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: 

Typed or printed name:	Rochelle Capobianco
Signature:	
	Date: 08/14/2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (01-03) Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT: (\$): 625.00

Complete if Known

Application Number:	09/073,596
Filing Date:	05/06/1998
First Named Inventor:	Steinman, et al.
Examiner Name:	G. Ewoldt
Art Unit:	1644
Attorney Docket No.:	112917-129 (MER-010CP2CNDV)

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account:

Deposit Account Number: 08-0219
Deposit Account Name: Hale and Dorr, LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below. Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee, to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$) 0.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20	20	X	
Independent Claims	3	X	
Multiple Dependent	0		10

Large Entity	Small Entity	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1204 64	2204 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$) 0.00	

* or number previously paid, if greater. For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920	1804 920	Requesting publication of SIR, prior to Examiner action	
1805 1,840	1805 1,840	Requesting publication of SIR, after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	465.00
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	160.00
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,610	1451 1,610	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1607 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$) 625.00	

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Ann Louise Kerner, Ph.D.	Registration No. (Attorney/Agent)	33,523
Signature	<i>Ann Louise Kerner</i>	Telephone	(617) 526-6192

WARNING: Information on this form may become public. Credit card information and authorization on PTO-2038
be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form, and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and

Received from <16175265000> at 8/14/03 10:16:52 AM [Eastern Daylight Time] 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Application No. 09/073,596

Patent Attorney Docket No. MER-010 CP2CNDV (112917-129)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
STEINMAN et al.)
Serial No.: 09/073,596) Group Art Unit: 1644
Filed: 06 May 1998) Examiner: G. Ewoldt
For: METHODS FOR IN VITRO)
PROLIFERATION OF)
DENDRITIC CELL)
PRECURSORS AND THEIR)
USE TO PRODUCE)
IMMUNOGENS)

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §1.6

I hereby certify that this correspondence is being sent via facsimile transmission to: Assistant Commissioner for Patents, Washington, DC 20231 (703-872-9307) on the date indicated below.

Date: 14 August 2003

By: Rochelle Capobianco
Rochelle Capobianco

Mail Stop AF (After Final)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT PURSUANT TO 37 C.F.R. § 1.116

This response is submitted in reply to the final Office Action dated 14 February 2003. A Petition for a three (3) month Extension of Time is submitted herewith, which extends the period for response to 14 August 2003. A Notice of Appeal is also submitted herewith, which appeals the Examiner's final rejection of claims 84, 89, 91, 92, 94, 95, 99, 101, and 103-120.

Application No. 09/073,596

Please amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims, which begin on page 3 of this paper.

Remarks / Arguments begin on page 7 of this paper.